

FILED

JAN 09 2004

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

PEGGY B. DEANS, CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF N.C.

IN RE:)	
)	CHAPTER 7
INTERNATIONAL HERITAGE, INC.)	CASE NO. 98-02675-5-ATS
)	
INTERNATIONAL HERITAGE,)	CHAPTER 7
INCORPORATED,)	CASE NO. 98-02674-5-ATS
)	
Debtors.)	

**INTERIM APPLICATION FOR SPECIAL ATTORNEY
FOR TRUSTEE FEE AND EXPENSE REIMBURSEMENT**

The undersigned Stephani W. Humrickhouse of Nicholls & Crampton, P.A. ("Applicant") applies to the Court for the entry of an Order approving and authorizing interim Special Attorney for Trustee fees for the period February 1, 2003 to December 31, 2003 in the amount of \$2,358.00 and expense reimbursement in the amount of \$117.07. In support of said Interim Application, Applicant respectfully shows the Court the following:

1. Applicant has acted as Special Attorney for the Trustee since employed and appointed by Order dated January 28, 1999. The services rendered by Applicant and members of its firm have been substantial and Applicant believes that allowance of a fee in full at this time is appropriate and necessary. The Applicant has regularly submitted fee applications in these cases every sixty (60) days.

2. Fees in the amount of \$145,050.00 and expenses in the amount of \$6,210.81 have been applied for by the Applicant and approved by the Court prior to this Application. However, \$22,803.00 of that \$145,050.00 was applicable to the representation of the Trustee in his claims against the Debtor's principal, Stanley Van Etten and not related to the prosecution of general avoidance actions.

3. To date, the Applicant has delivered the total sum of \$475,521.15 to the Trustee for preferences, which includes \$67,712.51 collected prior to the initiation of the adversary proceedings and \$407,808.64 collected as a result of the adversary proceedings. Monies are collected by the Applicant and delivered to the Trustee to hold in trust pending Court approval. The status of the adversary proceeding cases is as follows:

- a. 59 adversary proceedings have been settled in the sum of \$393,104.88 and approved by the Court (plus a Rolex watch was turned over to the Trustee and subsequently sold by the Trustee at private sale for \$6,000.00).
- b. One adversary proceeding is pending court approval at this time.
- c. Default Judgment has been entered in 16 adversary proceedings (3 of which have been satisfied in the sum of \$9,703.76).
- d. 13 adversary proceedings have been dismissed because of a complete defense by the Defendant or the inability to locate the Defendant.
- e. One adversary proceeding has been dismissed due to the Defendant filing Chapter 11 bankruptcy.
- f. Judgment has been entered in one adversary proceeding after trial in the amount of \$2,620.00.

4. A Summary of Services Rendered which indicates the name of the attorney or paralegal, the hours spent, the hourly rate and total compensation requested is attached as Exhibit A. Attached as Exhibit B is a breakdown by hours and description of the services rendered in connection with this Application. Services rendered were reasonable and necessary in the proper representation of the Trustee. Said Exhibit B reflects an itemization of expenses incurred on behalf of the Trustee by category totals. A separate statement has been created for each adversary proceeding in which time has been entered so that settlement offers can be evaluated more efficiently.

5. The Trustee's agreement to pay the fees at the rates set out herein are substantiated in its Application by Trustee for Authority to Employ and Appoint Attorney Specially dated January 27, 1999. Stephani W. Humrickhouse has rendered professional services of not less than 10.9 hours and that for such professional services Trustee agreed to pay the rate of \$165.00 per hour. Phyllis W. Hill has rendered paralegal services of not less than 7.2 hours and that for such paralegal services Applicant is regularly paid at the rate of \$75.00 per hour. Sandra T. Waller has rendered paralegal services of not less than .3 hours and that for such paralegal services Applicant is regularly paid at the rate of \$70.00.

6. Stephani W. Humrickhouse is a Partner with Nicholls & Crampton, P.A. She is a Board Certified Specialist in Bankruptcy Law by the North Carolina State Bar Board of Legal Specialization, is a former member of the Bankruptcy Council of the North Carolina Bar Association, previously served as Chairman of its Continuing Legal Education Committee, is a Certified Bankruptcy Specialist by the American Bankruptcy Certification Board and is an experienced Chapter 11 bankruptcy practitioner. Humrickhouse was admitted to the bar in 1980. Humrickhouse regularly charges and has been paid as her ordinary rate \$210.00 per hour. However, based on Court guidelines for the representation of the Trustee, she has only charged \$165.00 per hour during the time period covered by this Application in this case.

7. Phyllis W. Hill is a Paralegal with Nicholls & Crampton, P.A. She attended the University of Tennessee in Knoxville, TN majoring in Business Administration and received her

7. Phyllis W. Hill is a Paralegal with Nicholls & Crampton, P.A. She attended the University of Tennessee in Knoxville, TN majoring in Business Administration and received her paralegal/legal assistant degree from UT. She has been a paralegal since 1977 with seven years experience in Tax, Estate Planning, Trust and Estate Administration in Knoxville, TN, eight years experience in Civil Litigation with Hunton & Williams in Raleigh, NC and has been with Nicholls & Crampton since February, 1993, concentrating in Bankruptcy.

8. Sandra T. Waller was a Paralegal with Nicholls & Crampton, P.A from January, 1998 until May, 2003, concentrating in Bankruptcy. She attended Florida State University, Tallahassee, FL and received her paralegal/legal assistant training at Lively Vocational/Technical School, Tallahassee, FL. She has been a paralegal since 1982 with experience in Personal Injury, Medical Malpractice and Civil Litigation.

9. Copying charges are recorded by client identification number, pursuant to a control counting device connected to Applicant's copying machine. The copying charges are read by Applicant's Office Administrator twice monthly, at mid and end month, and entered into the Accounting Package on those "read" dates. Applicant does not have the ability to further break down the dates such copying charges were incurred other than as expressed above

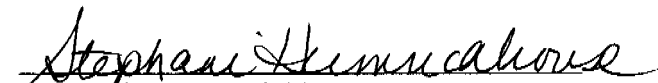
10. Postage charges for are entered cumulatively at month's end.

11. Copies are charged at 20¢ per page, and fax transmissions are charged at \$1.00 per page for out-going transmissions, with no charge for incoming faxes. Deliveries are charged at the rate of \$7.50.

12. The best interests of Trustee, the Debtor, and the Estates will be served by the allowance of this Application in full.

WHEREFORE, Applicant respectfully requests the Court for the entry of an Order allowing and authorizing Special Attorney for Trustee fees in the amount of \$2,358.00 and expense reimbursement in the amount of \$117.07.

This the 9 day of January, 2004.


Stephani W. Humrickhouse
State Bar No. 9528
Attorney for Trustee
Nicholls & Crampton, P.A.
Post Office Box 18237
Raleigh, NC 27619
Telephone: 919/781-131

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:)	
)	CHAPTER 7
INTERNATIONAL HERITAGE, INC.)	CASE NO. 98-02675-5-ATS
)	
INTERNATIONAL HERITAGE,)	CHAPTER 7
INCORPORATED,)	CASE NO. 98-02674-5-ATS
)	
Debtors.)	

SUMMARY OF SERVICES RENDERED

Nicholls & Crampton, P.A.

From February 1, 2003 to December 31, 2003, the undersigned person/firm has performed professional services for this estate in the capacity of special attorney for the Trustee during the Chapter 7 case. Attached hereto is an itemization of time expended and expenses incurred in the performance of these professional services.

<u>NAME</u>	<u>TITLE</u>	<u>HOURS SPENT</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
Stephani W. Humrickhouse	Partner	10.9	\$165.00	\$1,798.50
Phyllis W. Hill	Paralegal	.3	\$ 70.00	\$ 21.00
Phyllis W. Hill	Paralegal	6.9	\$ 75.00	\$ 517.50
Sandra T. Waller	Paralegal	.3	\$ 70.00	\$ 21.00

TOTAL FEES \$2,358.00

TOTAL EXPENSES \$ 117.07

TOTAL AMOUNT REQUESTED \$2,475.07

In Account With
NICHOLLS & CRAMPTON, P.A.

ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700
Post Office Box 18237
Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

01/11/04

Invoice 44555

TO Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-001 SH/G - International Heritage, Inc - Chapter 7
Amount Paid: _____

Return Upper Portion With Payment

For legal services rendered, including
but not limited to

11/10/03 HUM Work on default judgments. .30

Fees Billed \$ 49.50

Disbursements

Copies \$ 1.50

Total Disbursements \$ 1.50

Total Current Bill \$ 51.00

Previous Balance \$ 912.62

Balance Due \$ 963.62

Fee Summary

S W Humrickhouse worked .30 hours at \$165 an hour.

In Account With
NICHOLLS & CRAMPTON, P.A.

ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700
Post Office Box 18237
Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

Invoice 44556

01/11/04

TO Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-024 SWH - Intn'l Heritage Inc - Wood & Francis, PLLC / BE Wood

Amount Paid: _____

Return Upper Portion With Payment

For legal services rendered, including
but not limited to

11/10/03	HUM	Call to Wood re: compromise motion; email from Wood re: Settlement Agreement.	.50
11/17/03	HUM	Review settlement agreement; transmit agreement to Holmes Harden.	.50
12/04/03	HUM	Transmit Settlement Agreement to Brent Wood.	.30

Fees Billed

\$ 214.50

Disbursements

Postage	\$	1.20
Copies	\$	5.00
Fax	\$	11.00

Total Disbursements \$ 17.20

Total Current Bill \$ 231.70

Previous Balance \$ 716.61

Balance Due \$ 948.31
=====

A finance charge is computed on account balances unpaid 30 days
after the billing date at a periodic rate of 1½% per month (Annual percentage rate of 18%).

In Account With

NICHOLLS & CRAMPTON, P.A.

ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700

Post Office Box 18237

Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #

56-1201204

01/11/04

Invoice 44556

Page 2

TO
Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-024 SWH - Intn'l Heritage Inc - Wood & Francis P. L. C. / BE Wood

Return Upper Portion With Payment

Fee Summary

S W Humrickhouse worked 1.30 hours at \$165 an hour.

In Account With
NICHOLLS & CRAMPTON, P.A.

ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700
Post Office Box 18237
Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

Invoice 44557

01/11/04

TO Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-085 SWH - Intn'l Heritage Inc / John Brothers

Amount Paid: _____

Return Upper Portion With Payment

For legal services rendered, including
but not limited to

12/09/03	PL9	Letter to Trustee with last payment from Defendant pursuant to Consent Judgment, letter to Defendant with proof of claim.	1.20
12/22/03	PL9	Tele. to Trustee, draft Motion to Compromise and Settle Adversary Proceeding and proposed Order, draft Voluntary Dismissal.	1.80
12/29/03	HUM	File Motion to Compromise.	.30

Fees Billed \$ 274.50

Disbursements

Postage \$ 1.11

Total Disbursements \$ 1.11

Total Current Bill \$ 275.61

Previous Balance \$ 915.82

Balance Due \$ 1,191.43

Fee Summary

Paralegal PWH worked 3.00 hours at \$ 75 an hour.
S W Humrickhouse worked .30 hours at \$165 an hour.

A finance charge is computed on account balances unpaid 30 days
after the billing date at a periodic rate of 1½% per month (Annual percentage rate of 18%).

In Account With
NICHOLLS & CRAMPTON, P.A.
ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700
Post Office Box 18237
Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

11/10/03

Invoice 44117

TO Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-001 SH/G - International Heritage, Inc - Chapter 7
Amount Paid: _____

Return Upper Portion With Payment

For legal services rendered, including
but not limited to

02/20/03	PL9	Draft Interim Application of Special Counsel for Trustee Fee Application, Notice and proposed Order.	1.20
02/20/03	PL9	Draft Motion to Compromise and Settle Adversary Proceeding regarding Printing Plus, Notice and proposed Order.	1.00
02/21/03	HUM	Finalize Fee Application.	.40
02/22/03	PL9	Finalize Special Counsel Fee Application and Motion to Compromise for filing, serve same.	.70
02/24/03	PL9	Finalize Application for Special Counsel Fees and Expense Reimbursement for filing with clerk.	.50
04/14/03	HUM	Letter to Bruce Bullock re: preference claim.	.50
04/28/03	PL9	Prepare Statment Regarding Intent to Move for Authority to Compromise for filing with court.	.50
07/05/03	HUM	Respond to settlement offer.	.30

A finance charge is computed on account balances unpaid 30 days
after the billing date at a periodic rate of 1½% per month (Annual percentage rate of 18%).

In Account With
NICHOLLS & CRAMPTON, P.A.
ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700
Post Office Box 18237
Raleigh, North Carolina 27619
Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

11/10/03

Invoice 44117
Page 2

TO

Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-001 SH/G - International Heritage, Inc Amount Paid: Chapter 7

Return Upper Portion With Payment

07/11/03	HUM	Call to Clerk re: Settlement.	.20
08/25/03	HUM	Call to Holmes Harden re: status of APs.	.20
10/11/03	HUM	Status letter to Holmes Harden.	.30

Fees Billed

\$ 606.00

Disbursements

142 Copies @ \$.20 each	\$	28.40
Delivery Charge	\$	7.50
Westlaw Research	\$	180.11
Postage	\$	1.11
Fax	\$	35.00
Telephone Charges	\$	12.00

Total Disbursements \$ 264.12

Total Current Bill \$ 870.12

Previous Balance \$ 42.50

Balance Due \$ 912.62
=====

In Account With

NICHOLLS & CRAMPTON, P.A.

ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700

Post Office Box 18237

Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

11/10/03

Invoice 44117
Page 3

TO

Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-001 SH/G - International Heritage, Inc. Amount Paid: Chapter 7

Return Upper Portion With Payment

Fee Summary

Paralegal PWH worked 3.90 hours at \$ 75 an hour.
S W Humrickhouse worked 1.90 hours at \$165 an hour.

In Account With
NICHOLLS & CRAMPTON, P.A.
ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700
Post Office Box 18237
Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

Invoice 44118

11/10/03

TO Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-021 SWH - Intn'l Heritage Inc - Printing Plus, Inc.
Amount Paid:

Return Upper Portion With Payment

For legal services rendered, including
but not limited to

02/21/03 HUM Finalize Motion to Compromise. .30

Fees Billed \$ 49.50

Disbursements

11 Copies at \$.20 each \$ 2.20

Total Disbursements \$ 2.20

Total Current Bill \$ 51.70

Previous Balance \$ 109.94

Balance Due \$ 161.64

Fee Summary

S W Humrickhouse worked .30 hours at \$165 an hour.

In Account With
NICHOLLS & CRAMPTON, P.A.

ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700
Post Office Box 18237
Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

Invoice 44119

11/10/03

TO Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-024 SWH - Intn'l Heritage Inc - Wood & Francis, PLLC / BE Wood
Amount Paid: _____

Return Upper Portion With Payment

For legal services rendered, including
but not limited to

02/08/03	HUM	Email to Brent Wood re: Extension to Respond to Demand.	.20
06/14/03	HUM	Settlement proposal to Brent Wood.	.50
06/26/03	HUM	Review Brent Wood's response; draft letter to Holmes Harden re: same.	.50
09/18/03	HUM	Letter to Brent Wood re: settlement.	.50
10/08/03	HUM	Letter to Wood re: Settlement.	.20

Fees Billed \$ 313.50

Disbursements

Postage \$ 4.11

Fax \$ 3.00

Total Disbursements \$ 7.11

Total Current Bill \$ 320.61

Previous Balance \$ 396.00

Balance Due \$ 716.61
=====

A finance charge is computed on account balances unpaid 30 days
after the billing date at a periodic rate of 1½% per month (Annual percentage rate of 18%).

In Account With

NICHOLLS & CRAMPTON, P.A.

ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700

Post Office Box 18237

Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

Invoice 44119
Page 2

11/10/03

TO

Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-024 SWH - Intn'l Heritage Inc - Wood & Francis, P.A. / BFWood

Return Upper Portion With Payment

Fee Summary

S W Humrickhouse worked 1.90 hours at \$165 an hour.

In Account With
NICHOLLS & CRAMPTON, P.A.

ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700
Post Office Box 18237
Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

11/10/03

Invoice 44120

TO Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-071 SWH - Intn'l Heritage Inc / Claude Savage, Jr.
Amount Paid:

Return Upper Portion With Payment

For legal services rendered, including
but not limited to

04/23/03 HUM Call from Dan Bishop re: property .30
owned by Savage and pending
foreclosure.

Fees Billed	\$ 49.50
Total Current Bill	\$ 49.50
Balance Due	\$ 49.50

Fee Summary

S W Humrickhouse worked .30 hours at \$165 an hour.

In Account With
NICHOLLS & CRAMPTON, P.A.
ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700
Post Office Box 18237
Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

Invoice 44121

11/10/03

TO Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-085 SWH - Intn'l Heritage Inc / John Brothers

Amount Paid:

Return Upper Portion With Payment

For legal services rendered, including
but not limited to

02/24/03	P20	Draft Motion to Continue Trial and Order	.30
03/05/03	HUM	Call to Buzzy Stubbs re: settlement possibilities.	.30
06/20/03	HUM	Left message for John Brothers re: trial (.1).	.10
06/25/03	HUM	Call to clerk's office re: status; conference with John Brothers re: settlement; letter to John Brothers re: complaint support documentation.	1.20
07/28/03	HUM	Draft Consent Judgment and transmit to court; review file and correspondence from Brothers.	2.00
08/04/03	HUM	Conference with Mr. Brothers and Jeff Burley re: form of consent payment.	.30
08/08/03	HUM	Transmit Consent Judgment to court; transmit payment to Holmes Harden.	.70
09/22/03	PL9	Letter to Holmes Harden with Consent Judgment payment.	.30

Fees Billed

\$ 801.00

A finance charge is computed on account balances unpaid 30 days
after the billing date at a periodic rate of 1½% per month (Annual percentage rate of 18%).

In Account With
NICHOLLS & CRAMPTON, P.A.

ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700
Post Office Box 18237
Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #
56-1201204

11/10/03

Invoice 44121
Page 2

TO
Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-085 SWH - Intn'l Heritage Inc / John Branner Paid:

Return Upper Portion With Payment.

Disbursements

Postage	\$	1.85
Delivery Charge	\$	15.00
18 Copies @ \$.20 each	\$	3.60
Fax	\$	14.00
Telephone Charges	\$	11.00

Total Disbursements	\$	45.45
Total Current Bill	\$	846.45
Previous Balance	\$	69.37
Balance Due	\$	915.82

Fee Summary

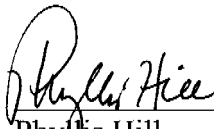
S T Waller worked .30 hours at \$ 70 an hour.
S W Humrickhouse worked 4.60 hours at \$165 an hour.
Paralegal PWH worked .30 hours at \$ 70 an hour.

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing INTERIM APPLICATION FOR SPECIAL ATTORNEY FOR TRUSTEE FEE AND EXPENSE REIMBURSEMENT was served this day by placing a copy thereof in a depository under the exclusive care and custody of the United States Postal Service in a postage prepaid envelope and properly addressed as follows:

via Hand Delivery
Mrs. Marjorie K. Lynch
Bankruptcy Administrator
300 Fayetteville St. Mall, Room 416
Raleigh, NC 27602

This the 9 day of January, 2004.



Phyllis Hill
Legal Assistant